

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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Martin Hernandez,

Plaintiff,

19 **CIVIL** 801 (AEK)

-v-

**JUDGMENT**

Commissioner of Social Security,

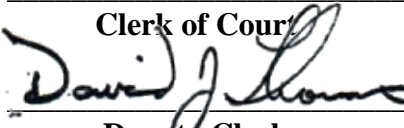
Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated April 29, 2021, it is hereby ordered: (i) that Plaintiff's motion for judgment on the pleadings, ECF No. 16, be GRANTED IN PART as to the Appointments Clause challenge and that this case be REMANDED to the Commissioner for further proceedings before a properly appointed ALJ; (ii) that upon remand, this case be assigned to a different ALJ than the one who conducted the original hearing and issued the original agency decision; and (iii) that the Commissioner's cross-motion to remand, ECF No. 18, be DENIED. Judgment is entered in Plaintiff's favor.

**Dated:** New York, New York  
April 30, 2021

**RUBY J. KRAJICK**

BY:   
Clerk of Court  
Deputy Clerk